
**Natural Resources, Ecology &
Parks Committee**

HB 1302

Brief Description: Modifying burn ban triggers.

Sponsors: Representatives Kagi, Jarrett and B. Sullivan.

Brief Summary of Bill

- Changes the size of particulates measured, and adds additional requirements that must be satisfied, when determining if restrictions on the use of solid fuel burning devices should be instituted.

Hearing Date: 2/4/05

Staff: Jason Callahan (786-7117).

Background:

The Washington Clean Air Act (Act) regulates the use of wood stoves, fireplaces, and other solid fuel burning devices. The Act prohibits the sale of solid fuel burning devices that do not meet certain defined standards (RCW 70.94.460). Use of uncertified burning devices, which are those devices that do not meet these standards, may generally continue if the device was purchased prior to the sales prohibition.

The Act also establishes a two-phase burn ban (RCW 70.94.473). During a first stage burn ban, residential and commercial buildings are prohibited from burning wood in any stove or fireplace that is not certified. During a second phase burn ban, all buildings are prohibited from burning wood in both certified and uncertified solid fuel burning devices. Buildings that do not have an adequate source of heat without burning wood are allowed to burn wood during both first and second phase burn bans.

Both the Department of Ecology (Department) and local air agencies have the authority to declare first and second stage impaired air episodes. There are two triggers for a first stage impaired air episode. The first trigger is a recorded measurement of particulates in the air that are ten microns or smaller at an average concentration of sixty micrograms per cubic meter over twenty-four hours. A first stage episode can also be triggered if carbon monoxide is measured at an average ambient level concentration of eight parts per million over an eight hour period. A second stage impaired air quality episode is triggered when the twenty-four hour average concentration for

particulates that are ten microns or smaller reach a concentration of 105 micrograms per cubic meter (RCW 70.94.473).

Summary of Bill:

First Stage Burn Bans

The triggers for establishing a first and second stage burn ban are altered. The formula for declaring a first stage ban is changed from measuring particulates sized 10 microns or smaller at a concentration of greater than 60 micrograms per cubic meter, to measuring fine particulates at a concentration of 35 micrograms per cubic meter. In addition to measuring the necessary concentration of fine particulates, a first stage burn ban can not be called unless the meteorological forecast predicts that the conditions for the following forty-eight hours will not allow the levels of fine particulates to decline below a concentration of 35 micrograms per cubic meter.

The carbon monoxide standard for allowing a first stage burn ban is removed. Only the fine particulate measurements can trigger a burn ban.

Second Stage Burn Bans

The formula for declaring a second stage ban is changed from measuring particulates sized 10 microns or smaller at a concentration of greater than 105 micrograms per cubic meter, to measuring fine particulates at a concentration of 60 micrograms per cubic meter. In addition to the measurement of fine particulates, a second stage burn ban can not be given effect unless a first stage burn ban has been in force and proven insufficient to reduce the rate of increase in the concentration of fine particulates in the air. Also, the meteorological forecast must predict that the conditions for the following forty-eight hours will not allow the levels of fine particulates to decline below the necessary trigger level.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.